

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
Civil Action No.**

**HUBERT SIMPSON, individually,
and on behalf of all others similarly
situated,**

Plaintiff,

v.

**CAROTHERS HOLDING COMPANY, LLC,
STONEMOR GP, LLC, STONEMOR NORTH
CAROLINA, LLC, STONEMOR NORTH CAROLINA
FUNERAL SERVICES, INC., STONEMOR NORTH
CAROLINA SUBSIDIARY, LLC, and STONEMOR
PARTNERS, LP,**

Defendants.

**DECLARATION OF ANTHONY T. LATHROP IN SUPPORT OF
CAROTHERS HOLDING COMPANY, LLC'S NOTICE OF REMOVAL**

Anthony T. Lathrop deposes and states:

1. I am over the age of 18 and am a licensed attorney in North Carolina and am otherwise competent to testify. The matters set forth herein are based on my personal knowledge and review of the Complaint.

2. I am an attorney with the law firm Moore & Van Allen in the Charlotte, North Carolina office, and have been licensed to practice law in North Carolina since 1988.

3. I have served as counsel for Defendant Carothers Holding, LLC, in several matters involving Plaintiff's counsel, Pamela A. Hunter, including the putative class action claims at issue in this matter (the "Simpson Class Action") as well as claims brought by five (5) individual Plaintiffs against the same Defendants filed contemporaneously with the instant matter, styled

Natalia Little et al. v. Carothers Holding Co., LLC et al., Case No. 23-CVS-4924 (the “Little Case.”), in Mecklenburg County, North Carolina.

4. Prior to the filing of these lawsuits, Ms. Hunter and I discussed these claims and Ms. Hunter made pre-suit settlement demands to resolve these claims.

5. On or about September 26, 2022, I spoke with Ms. Hunter by phone about the claims at issue in Simpson Class Action and Ms. Hunter offered to resolve the class action claims for \$200,000,000.00.

6. On or about November 30, 2022, I spoke with Ms. Hunter by phone about the claims at issue in the Little Case, and Ms. Hunter offered to resolve the individual claims for \$9,500,000.00 for each individual.

7. These offers were rejected.

8. Ms. Hunter subsequently filed both the Little Case and this putative class action on March 17, 2023.

9. On March 17, 2023, Ms. Hunter e-mailed me a copy of the Complaint and Summonses in the Simpson Class Action.

10. On March 27, 2023, Carothers was served with a copy of the Complaint and Summonses in the Simpson Class Action.

11. I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct to the best of my knowledge.

Dated: April 14, 2023.



Anthony T. Lathrop